

# ALABAMA STATE BOARD OF AUCTIONEERS

610 SOUTH McDONOUGH STREET  
MONTGOMERY, AL 36104  
334-269-9990 FAX 334-263-6115  
E-mail: [auctioneers@warrenandco.com](mailto:auctioneers@warrenandco.com)  
[www.auctioneer.alabama.gov](http://www.auctioneer.alabama.gov)



**Re: Licensing of Companies Engaging in the Auction Business**

Dear Licensee:

This letter is to inform you that effective October 1, 2011, pursuant to the provisions of ALA. ADMIN. CODE r. 150-X-1-.02 and ALA. CODE §§ 34-4-20 and -28 (1975 as amended), companies engaging in the auction business in the state of Alabama will be required to obtain a license from the Alabama State Board of Auctioneers and to maintain that license through annual renewals.

The licensure requirement applies to any legal entity which engages in the business of auctioneering, as defined by the Auctioneers License Act and the Board's rules. An auction company exclusively owned and operated by an auctioneer licensed by this Board and in good standing therewith will be exempt from the requirement for a separate auctioneer license; however, auctioneers fitting within this exemption must still complete and file an auction company application with the Board, but shall not be required to remit the application or licensure fee.

**An individual designated as the principal auctioneer in the application and named in the license must be a licensed auctioneer in good standing with the Board and must be an officer of said auction company. Apprentice auctioneers are ineligible to satisfy these requirements.**

Auction companies operating without a license after October 1, 2011, may be considered to be in violation of ALA. CODE § 34-4-20 (1975 as amended) and subject to the applicable penalties and provisions of the Auctioneers License Act.

Enclosed you will find an application for an auction company license, which must be submitted with the application fee of \$150.00 and deemed complete by the Board on or before September 30, 2011.

Should you have any questions regarding this letter, please direct them to my office at the above-listed number. You may also consult the Board's website at [www.auctioneer.alabama.gov](http://www.auctioneer.alabama.gov) for further information and a copy of Rule 150-X-1-.02.

Sincerely,

A handwritten signature in blue ink, appearing to read "Keith E. Warren", with a long horizontal flourish extending to the right.

Keith E. Warren  
Executive Director

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## APPLICATION FOR AUCTION COMPANY LICENSE FOR THE YEAR 2011-2012

1. Business name in which license will be issued.

\_\_\_\_\_

Trade name or dba name, if different from business name.

\_\_\_\_\_

a) **Mailing address** \_\_\_\_\_  
(Street & Number) (City) (State) (Zip Code)

b) **Physical address** (P.O. Boxes will not be accepted)  
\_\_\_\_\_  
(Street & Number) (City) (State) (Zip Code)

Federal Employer's ID Number \_\_\_\_\_

2. Is applicant a corporation \_\_\_\_, partnership \_\_\_\_, association \_\_\_\_, company \_\_\_\_, limited liability company \_\_\_\_, or proprietorship \_\_\_\_ (individual).

State of formation, organization or incorporation \_\_\_\_\_

Attach copy of articles evidencing formation, organization or incorporation.

If the company is a foreign entity, provide evidence that the company is authorized to do business in this state and is registered with the Alabama Secretary of State.

3. Branch office(s) address(es), if any \_\_\_\_\_

4. Name of principal auctioneer and office or position in company. Authority to transact business as an auctioneer on behalf of the company shall be restricted to the principal auctioneer named in the license.

Name	Office or Position
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\_\_\_\_\_

Mailing address \_\_\_\_\_  
(Street & Number) (City) (State) (Zip Code)

Social Security Number \_\_\_\_\_ Auctioneer License Number AL-\_\_\_\_\_

5. List all auctioneers and apprentices, other than the principal auctioneer, who are affiliated with the company. Indicate status (apprentice or auctioneer). Use additional pages as needed.

Name	Address	AL License No.	Status
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\_\_\_\_\_

\_\_\_\_\_

6. Provide names of all non-auctioneer company owners.

\_\_\_\_\_  
\_\_\_\_\_

7. Has any partner, officer or director of the company ever been indicted or convicted on charges involving embezzlement, obtaining money under false pretenses, larceny or extortion? **NO** \_\_\_\_\_ **YES** \_\_\_\_\_ (If **YES**, attach all court documentation and a letter of explanation).

8. Are there any civil suits or judgments pending against any partner, officer or director of the company at this time? **NO** \_\_\_\_\_ **YES** \_\_\_\_\_ (If **YES**, attach all court documentation and a letter of explanation).

9. Has any partner, officer or director of the company ever had an auctioneer's license, real estate broker's license or any other type of occupational license suspended, revoked, refused or disciplined by this State or any other State? **NO** \_\_\_\_\_ **YES** \_\_\_\_\_ (If **YES**, attach a letter of explanation).

10. Does the principal auctioneer for the company understand and accept that he/she will be held accountable for all professional actions of all members and employees of the firm when operating within the scope of their professional activities?  
**NO** \_\_\_\_\_ **YES** \_\_\_\_\_ (If **NO**, attach a letter of explanation).

#### **AFFIDAVIT**

By submitting this application to the Alabama State Board of Auctioneers for a license to conduct the business of auctioneering under the provisions of the Auctioneer License Act, as amended, the undersigned swears or affirms that he/she has read and is thoroughly familiar with the provisions of the aforementioned Act and agrees to fully comply with them. The undersigned further swears or affirms that all of the information given in this application is true and complete to the best of his/her knowledge and belief. If granted an application by the Alabama State Board of Auctioneers, the undersigned acknowledges that he/she must employ auctioneers licensed in the State of Alabama to conduct auction business in this State.

\_\_\_\_\_  
Signature of Principal Auctioneer

\_\_\_\_\_  
Signature of Company Owner

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

Subscribed and sworn to before me this \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
County

\_\_\_\_\_  
State

**(SEAL)**

My Commission expires \_\_\_\_\_.

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Pursuant to Alabama Code § 34-4-29(c)(4) (1975 as amended), the Alabama State Board of Auctioneers may suspend, revoke or refuse to renew any license issued by the Board for failure to keep or maintain any money belonging to others in an escrow or trustee account. Accordingly, please complete the following:

\_\_\_\_\_ The undersigned does handle funds belonging to others or intends to do so in the future.

**PLEASE HAVE YOUR BANK COMPLETE THE FOLLOWING AND RETURN TO THIS OFFICE.**

Auction Company Name and Address: \_\_\_\_\_

\_\_\_\_\_

Escrow Account Number: \_\_\_\_\_

Bank name / address / telephone number: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Bank Officer Signature

\_\_\_\_\_  
Date

I hereby certify that the foregoing information is true and correct to the best of my knowledge. I further understand that I have a continuing duty to notify the Board in the event that any of the information contained herein changes. The Alabama State Board of Auctioneers or its agent/designee is hereby authorized to audit any escrow account(s) referenced above.

\_\_\_\_\_  
Auction Company Owner and Escrow Account Holder (Please Print)

By: \_\_\_\_\_  
(Authorized Signature) (Printed Name) (Date)

\_\_\_\_\_  
Notary Public County State

(SEAL)

My Commission expires \_\_\_\_\_.